IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.4185 OF 2005

Vikram Digambar Deokar & Ors. : Petitioners

V/s.

Sou. Meena Dhiren Nandu : Respondent

...

Mr.S.V. Sadavarte for the petitioners.

Mr.R.M.Pethe for the respondent.

...

CORAM : S.A. BOBDE, J.

August 12, 2005.

P.C.:

1. Rule, returnable forthwith.

Mr.Pethe waives service of rule on behalf of the respondent.

Heard by consent.

2. This petition is directed against the order dated 22.3.2005 passed by the 9th Ad hoc Addl. District Judge, Pune, rejecting the petitioners' application for restoration of the appeal which was dismissed in default. From the order, there appears to be no infirmity, jurisdictional or otherwise which calls for interference.

Moreover, I am of view that the interest of justice will be served better if the suit itself, in which an injunction is operating against the petitioners since December 2003, is directed to be decided within a period of six months from the next date of appearance of the parties.

3. The petition is disposed of with the aforesaid directions.

Sd/-

S.A. BOBDE, J.